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1133 U.S. PTO

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jc971 U.S. PTO  
10/087667  
02/28/02

BOX PATENT APPLICATION  
ASSISTANT COMMISSIONER FOR PATENTS  
WASHINGTON, DC 20231

Express Mail No.: EL744191872 US  
Attorney Docket No.: 2001796-0005 CIP  
Date Filed: February 28, 2002

**UTILITY PATENT APPLICATION TRANSMITTAL**  
(for new nonprovisional applications under 37 C.F.R. § 1.53(b))

Dear Sir:

Please find enclosed a patent application and papers as follows for:

Inventor(s):

Given Name (first and middle)      Family Name or Surname      Residence

A. John.	Bramley	Hinesburg, VT
Karen L.	Plaut	Los Gatos, CA
David	Kerr	Charlotte, VT

Title of the Invention    **TREATMENT OF STAPHYLOCOCCUS INFECTIONS**

A) APPLICATION ELEMENTS:

- 1) ☐ **Fee Transmittal Form** (original and duplicate submitted for fee processing)
- 2) ☐ **Applicant Claims Small Entity Status** (see 37 CFR §1.27)
  - a) ☐ Statement Verifying Small Entity Status (unexecuted)
- 3) ☒ **Specification** TOTAL PAGES: 44
  - Descriptive Title of the Invention (Cover Sheet – 1 pg.)
  - Cross References to Related Applications (if applicable)

- Statement Regarding Federally Sponsored R & D (if applicable)
- Background of the Invention
- Summary of the Invention
- Description of the Drawing (if filed)
- Detailed Description of the Invention
- Claim(s)
- Abstract of the Invention

4) X **Drawing(s)** (35 U.S.C. § 113)

TOTAL SHEETS: 20

a)      Formal Drawings (if checked)

5) X **Oath or Declaration**

TOTAL PAGES: 3

a)      Newly Executed (original or copy)

b)      Copy from a prior application (37 C.F.R. § 1.63(d))-for  
continuation/divisional application

i)      Deletion of inventor(s): Signed Statement deleting inventor(s) named  
in the prior application, see 37 C.F.R. §§ 1.63(d)(2) and 1.33(b).

c) X Unexecuted

6)      **Application Data Sheet.** See 37 CFR 1.76.

7)      **CD-ROM or CD-R in duplicate, large table or Computer Program  
(Appendix)**

8) X **Nucleotide and/or Amino Acid Sequence Submission** (if applicable, all are  
necessary)

a) X Computer Readable Form (CRF)

b) X Specification Sequence Listing on:

i)      CD-ROM or CR-R (2 copies); or

ii) X Paper (14 pages)

c) X Statements verifying identity of above copies (1 pg)

d) X Amendment Introducing Sequence Listing (1 page)

B) ACCOMPANYING APPLICATION PARTS:

- 9) X **Assignment Papers** (unexecuted; cover sheet & document(s)) (3 pages)
- 10) X **37 C.F.R. § 3.73(b) Statement** (unexecuted, 2 pages)
- 11) X **Power of Attorney** (unexecuted, 1 page);
- 12)      **English Translation Document** (if applicable)
- 13)      **Information Disclosure Statement (IDS)/PTO-1449**
- 14)      **Copies of IDS Citations**
- 15) X **Preliminary Amendment and attachments (TOTAL OF 162 PAGES), consisting of: (a) Preliminary Amendment (16 pages); Version with Marking to Show Changes Made (8 pages); Exhibits A-H (14 pages); and References (124 pages).**
- 16) X **Return Receipt Postcard (MPEP 503)** (specifically itemized)
- 17)      **Certified Copy of Priority Document(s)** (if foreign priority is claimed)
- 18)      **OTHER:** (if applicable, specified below)

C) FOR CONTINUING APPLICATIONS: (the appropriate box is checked, and certain information is provided below and in a preliminary amendment)

     CONTINUATION                           DIVISIONAL                        X   CONTINUATION-IN-PART (CIP)

OF PRIOR APPLICATION NO: 09/337,079  
FILED: JUNE 21, 1999  
EXAMINER: WOITACH, J.  
GROUP/ART UNIT: 1632

**FOR CONTINUATION OR DIVISIONAL APPLICATIONS ONLY:** THE ENTIRE DISCLOSURE OF THE PRIOR APPLICATION, FROM WHICH AN OATH OR DECLARATION IS SUPPLIED AS DETAILED ABOVE, IS CONSIDERED A PART OF THE DISCLOSURE OF THE ACCOMPANYING CONTINUATION OR DIVISIONAL APPLICATION AND IS HEREBY INCORPORATED BY REFERENCE.

D.) PRIORITY CLAIM(S):

This application claims the benefit under Title 35, United States Code, §120 of any United States application(s) or PCT international application(s) designating the United States of America listed below:

<b>09/337,079</b>	<b>June 21, 1999</b>	<b>Pending</b>
Application Number	Filing Date	Status

PCT Applications designating the United States:

<b>PCT/US99/14073</b>	<b>June 22, 1999</b>	<b>Abandoned</b>
Application Number	Filing Date	Status

This application claims the benefit under Title 35, United States Code, §119(e) of any United States provisional application(s) listed below:

Provisional Application(s):

<b>06/090,175</b>	<b>June 22, 1998</b>	<b>Expired</b>
Application Number	Filing Date	Status

E) METHOD OF PAYMENT OF FILING FEES FOR THIS APPLICATION:

- ☐ Applicant claims small entity status 37 CFR §1.27
- ☐ A check is enclosed to cover the filing fees as determined on the fee transmittal enclosed herewith
- ☒ The Commissioner is hereby authorized to charge filing fees or credit any overpayment to Deposit Account Number 03-1721.

Total filing fee amount \$ 866.00

F) CORRESPONDENCE ADDRESS:

☒ Customer Bar Code Label:



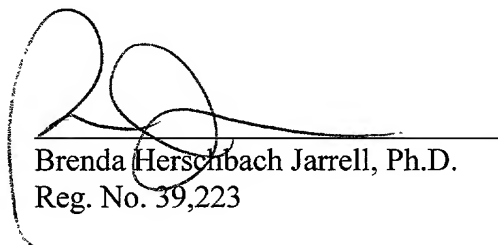
24280

PATENT TRADEMARK OFFICE

☒ Correspondence Address:

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Respectfully Submitted,



Brenda Herschbach Jarrell, Ph.D.  
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ATTORNEY'S DOCKET NO.: 2001796-0005 CIP

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Bramley, et al.  
Serial No.: NYA  
Filed: February 28, 2002  
For: TREATMENT OF STAPHYLOCOCCUS INFECTIONS

"Express Mail" mailing label number E7441918715  
Date of Deposit 2/28/02

Assistant Commissioner For Patents  
Washington, Dc 20231

I hereby certify that this paper or fee is being deposited with  
the United States Postal Service "Express Mail Post Office to  
Addressee" service under 37 CFR 1.10 on the date indicated above  
and is addressed to the Assistant Commissioner For Patents,  
Washington, D.C. 20231

Sir:

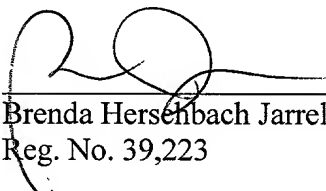
STATEMENT UNDER 37 CFR §1.821

Applicant encloses herewith a paper copy and a computer-readable diskette copy of the  
Sequence Listing required under 37 C.F.R. §1.821-1.825 for the above-referenced patent  
application.

The undersigned states that the content of the paper copy of the Sequence Listing is  
identical to that of the computer-readable diskette copy.

Respectfully submitted,

Date Filed: 2/28/02

  
Brenda Hersenbach Jarrell, Ph.D.  
Reg. No. 39,223

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